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SCULLY, SCOTT, MURPHY & PRESSER PC
INTELLECTUAL PROPERTY LAW

400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530
516-742-4343
FAX: 516-742-4366
E-MAIL: INTPROP@SSMP.COM
WWW.SSMP.COM

August 18, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: USSN: 10/523,856
Helen G. Durkin, et al.
Our Docket: 15727

Dear Sirs:

The Filing Receipt for the above-identified patent application has the Foreign Applications information incorrect. It should read as follows:

Domestic Priority data as claimed by applicant: This Appln. Claims benefit of 60/402,411 08/09/02

Title: Method for monitoring the effectiveness of tetracycline in the treatment of asthma

as indicated on the enclosed pages. Please make the corrections and send us a corrected Filing Receipt.

Very truly yours,

Scully, Scott, Murphy & Presser, P.C.

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Encl.

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/523,856	10/18/2005	1616	655	15727	1	29	2

CONFIRMATION NO. 4411

23389
SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530

FILING RECEIPT

OC000000017891319

Date Mailed: 01/23/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Helen G Durkin, Manhasset, NY;
Rauno Joks, Port Washington, NY;
Tamar A. Smith-Norowitz, Brooklyn, NY;
Martin H Bluth, West Hempstead, NY;

Power of Attorney: The patent practitioners associated with Customer Number **23389**.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/24746 08/08/2003

Foreign Applications

UNITED STATES OF AMERICA 60402411 08/09/2002

Projected Publication Date: 05/04/2006

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Method for monitoring the effectiveness of teracycline in the treatment of asthma

Preliminary Class

424

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

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Docket No.
15727

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

A METHOD FOR MONITORING THE EFFECTIVENESS OF TETRACYCLINE IN THE TREATMENT OF ASTHMA

the specification of which
(check one)

☐ is attached hereto.

☒ was filed on **February 7, 2005** as United States Application No. or PCT International Application Number **10/523,856**

and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applciations, material information which became available between the filing date of the prior applciation and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

(Number)	(Country)	(Day/Month/Year Filed)	Priority Not Claimed
PCT/US03/24746	PCT	8/8/2003	☐
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60/402,411 9 August 2002 (09.08.2002) US

(71) Applicants and
(72) Inventors: **DURKIN, Helen, G.** [US/US]; 1254 Plandoma Road, Manhasset, NY 11030 (US). **JOKS, Rauno** [US/US]; 74 Crescent Beach Road, Glen Cove, NY 11542 (US). **SMITH-NOROWITZ, Tamar, A.** [US/US]; 539 East 8th Street, Brooklyn, NY 11218 (US). **BLUTH, Martin, H.** [US/US]; 1244 East 19th Street, Brooklyn, NY 11230 (US).

(74) Agent: **GROLZ, Edward, W.**; SCULLY, SCOTT, MURPHY & PRESSER, 400 Garden City Plaza, Garden City, NY 11530 (US).

(81) Designated States *(national)*: AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

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Published:
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For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

WO 2004/014434 A1

(54) Title: A METHOD FOR MONITORING THE EFFECTIVENESS OF TETRACYCLINE IN THE TREATMENT OF ASTHMA

(57) Abstract: The present invention is directed to a method of lowering excess IgE levels in a mammal suffering from a disease where IgE is pathogenic which method comprises administering to said mammal an IgE lowering effective amount of a tetracycline such as minocycline or doxycline. It is also directed to a method of monitoring the effectiveness of a drug in lowering the concentration of excess IgE in the plasma in a mammal suffering from the disease in which IgE is pathogenic which method comprises making a first determination of the concentration of IgE in the plasma of said mammal at an initial time; administering to said mammal the drug; making a second determination of the concentration of IgE in the plasma of said mammal after the initial time and after administration of the drug and comparing the values obtained from the first and second determinations, such that if the value of the second determination is higher than or about the same as the value of the first determination and above a threshold level, then the dosage amount of the drug administered in the [illegible]